

**STATUS REPORT TO THE INDEPENDENT MONITOR SUBMITTED BY THE PARTIES TO
THE COLLABORATIVE AGREEMENT**

The Parties to the Collaborative Agreement, the Plaintiff Class, represented by the American Civil Liberties Union (ACLU) of Ohio; the City of Cincinnati (CPD) and the Fraternal Order of Police (FOP) (collectively referred to as “the Parties” or “the Collaborative Partners”) submit this status report to the Independent Monitor, pursuant to Collaborative Agreement, paragraph 105.

March 5, 2007

Reporting Period: November 6, 2006 – February 5, 2007

Table of Contents

Introduction	2
A. Community Problem Oriented Policing (Paragraph 29)	3
B. Mutual Accountability Evaluation	36
C. Department of Justice Memorandum of Agreement	38
D. Fair, Equitable and Courteous Treatment	39
E. Citizen Complaint Authority	43
Appendix	45

INTRODUCTION

This Report is intended to advise the Independent Monitor as to the progress that the Parties have made during the reporting period of November 6, 2006 through February 5, 2007. The Independent Monitor oversees implementation of both the Memorandum of Agreement (MOA) between the City and the United States Department of Justice, and the Collaborative Agreement (CA) between the City, the ACLU, and the FOP. The MOA is appended to the CA and is enforceable solely through the mechanism of paragraph 113 of the Collaborative Agreement

The purpose of the Collaborative Agreement is to resolve conflict, to improve community-police relations, to reduce crime and disorder, to fully resolve the pending claims of all individuals and organizations named in the underlying litigation, to implement the consensus goals identified by the community through the collaborative process, and to foster an atmosphere throughout the community of mutual respect and trust among community members, including the police.

This report provides updates based on the following established committees to fully address each area stipulated in the Agreement:

- Community Problem-Oriented Policing Committee
- Mutual Accountability
- Department of Justice Memorandum of Agreement
- Fair, Equitable, and Courteous Treatment
- Citizen Complaint Authority Committee

A. COMMUNITY PROBLEM ORIENTED POLICING (PARAGRAPH 29)

Implementation of CPOP

The CPD continues efforts to achieve compliance under Paragraph 29 as it relates to Community Problem Oriented Policing. The Monitor made several comments in his most recent report to the Parties. One of the more prominent issues includes the implementation and use of the Vortex Unit under Patrol Administration and the implication that “the primary strategy the CPD applied in 2006 to crime and violence reduction was saturation patrol/zero tolerance through Vortex Unit operations.”¹ This statement is false. Contrary to the Monitor’s assessment, the Vortex Unit was not the primary strategy used by the CPD. Numerous projects involving different approaches to problem solving were ongoing throughout the City in 2006. The following are just a few examples that demonstrate the length to which the CPD has been involved in other facets of problem-solving during the past year. All of the examples below have been documented and reported to the Monitor during 2006.

- The City of Cincinnati Mayor, Mark Mallory, kicked off the year by announcing a city-wide public safety initiative.²
- The end of the school year at Aiken High School in College Hill was plagued by student violence. In response, an innovative CPOP initiative targeted the problem by identifying offenders and implementing policies to curb the assaults.³
- Citizens in the Avondale neighborhood joined forces with the CPD and CPPC to form CeaseFire Cincinnati, modeled after a successful targeted effort in Chicago.⁴
- The west side of Cincinnati collaborated with the CPD to form the Western Corridor Safe City Project.⁵
- The 2006 Curfew Center Initiative⁶
- Northside Theft from Auto Problem-Solving Project⁷
- Nuisance Abatement
- Neighborhood Quality of Life Code Enforcement
- Preliminary discussions with Professor David Kennedy including City Council’s Law and Public Safety Committee and the 2007 budget deliberations.

Again, these examples have all been included in prior reports to the Monitor. The CPD feels the Monitor is giving an inordinate amount of attention to a fifty person unit, out of 1,100 officers, that has been put in place less than six months. This leaves the CPD with the impression that reporting all other efforts to combat crime and disorder in other Cincinnati neighborhoods were made in futility.

¹ Green, S. & Jerome, R. (2007). *City of Cincinnati Independent Monitor’s Fifteenth Report*. p. 41.

² CA Status Report to the Independent Monitor – July 2006, Appendix Item 6.

³ CA Status Report to the Independent Monitor – July 2006, Appendix Item 12.

⁴ CA Status Report to the Independent Monitor – December 2006, Appendix Item 3.

⁵ CA Status Report to the Independent Monitor – December 2006, Appendix Item 7.

⁶ CA Status Report to the Independent Monitor – December 2006, Appendix Item 9.

⁷ CA Status Report to the Independent Monitor – December 2006, Appendix Item 14.

During this reporting period, the Vortex Unit primarily operated in the Over-the-Rhine neighborhood, one out of fifty-two neighborhoods in the City of Cincinnati. The CPD agrees that the primary purpose of the unit is to serve as “a highly visible proactive unit that has a zero tolerance approach to street crimes, drug trafficking, and quality of life issues.”⁸ In addition, the Vortex Unit serves as an optional tool for CPD Commanders to utilize when this type of **response** is identified as appropriate in addressing specific problem solving efforts. Vortex, like SWAT, the Canine Squad and the Intelligence Unit, is just one of many resources available for deployment depending on the circumstances.

In November 2006, during a site visit, the Monitor “asked the CPD to provide information on how Operation Vortex is integrated into its problem solving strategy.” Specifically, the Monitor “requested information from the CPD to obtain a thorough understanding of how CPOP is incorporated in the operation of Vortex. Our goal was to determine to what extent Vortex is part of, or complementary to, problem-oriented policing. We particularly asked for information on any analysis that was done on the front end and back end of the Vortex operations, related to specific locations that are targeted, as well as any efforts undertaken by the Police Department to dialogue with the community groups affected both before and after a Vortex unit is deployed in a neighborhood. We also asked for any documentation showing that the CPD is developing and using performance measures that are “outcome” or “results” oriented, rather than measures that simply assess activity, such as arrests and seizures.” The CPD’s response to this request can be found under Appendix Item 1.

***Item 29(a).** The City, in consultation with the other Parties, shall develop and implement a plan to coordinate City departments with the CPOP focus of the CPD.*

Monitor’s Previous Assessment

As we noted in prior Reports, the Monitor’s assessment of compliance requires documentation of the City’s implementation of its coordination plan. The documentation can include relevant information, such as the number of agencies involved, the range of City services provided, the number of projects with interagency cooperation, and whether the intervention assisted in reducing the problem. The Parties December 2006 Status Report included a description of four properties where CERT executed administrative search warrants and the CPD is developing a tracking document to capture a fuller range of CERT activity.

The Monitor finds the City in partial compliance.

Parties’ Status Update

CERT activities between June 2006 and January 2007 can be found under Appendix Item 2. The document includes the number of agencies involved, the range of

⁸ <http://www.cincinnati-oh.gov/police/pages/-7849-/>

City services provided, the number of projects with interagency cooperation, and the status of the intervention as required for compliance under this subsection of the CA.

Item 29(b), the Parties shall develop and implement a system for regularly researching and making available to the public a comprehensive library of best practices in community problem-oriented policing.

Monitor's Previous Assessment

Again, the Monitor compliments the Parties for their collaboration on a comprehensive library. The CPOP library may be the most comprehensive web library on a police department website. With the work of the Parties and the Partnering Center in developing the virtual best practices library and making these publications available in hard copy through the Hamilton County Library, the Monitor finds the Parties in compliance with CA ¶29 (b). The Parties have been in compliance with this section for nine consecutive quarters.

As we have noted in prior reports, section 29(b) is also related to sections 29 (c) and (d). We believe that compliance for 29(c) and 29(d), which we discuss below, will require training within the CPD of some of the 29(b) best practices, as well as their use in crime reduction efforts.

Parties' Status Update

The Parties have nothing to report under this subsection.

Item 29(c). The City, in consultation with the Parties, shall develop a "continuous learning" process through the CPD. Experiences with problem solving efforts in the field will be documented and disseminated throughout the police department and made available to the public. Problem solving will continue to be emphasized in (included but not limited to) academy training, in-service training, and field officer training.

Monitor's Previous Assessment

We believe that the trainings undertaken during the beginning 2006 were the first steps in introducing Department employees (sworn and civilian) to CPOP. This reporting period witnessed some additional advances in training as well.

As we stated in our last Report, now that the CPOP role is expanding to all Patrol officers in the Department, we believe a number of additional trainings will need to occur. Given the expanded role Patrol will play in CPOP, additional training for officers is needed, particularly in light of complaints from CPOP groups that some of the officers attending CPOP meetings are unfamiliar with CPOP, SARA, and their role and responsibilities in problem solving. The training should prepare officers to dig into problems; it will require training and mentoring on documentation, how to manage calls, community meetings, longer term problem-solving efforts, and the use of analysis. And,

as we mentioned in earlier reports, expectations for involvement should be clear and ultimately supported by the performance appraisal system, which to-date is not the case.

We recognize that training the entire Department is time-consuming, so planning for it is key. Folding the COP units into Patrol presents the CPD leadership with a new opportunity to impart its message. As well, with the CPD requiring problem-solving reports from all Unit Commanders, it becomes important for people in those Units to have the training that gives them the skills to do some problem solving and more sophisticated analysis.

We continue to recommend that the Department develop highly focused training for supervisors about guiding, coaching, and training officers in problem solving. An important aspect to the training will be the sergeants' role in officer time management. The sergeant, rather than the 911 dispatcher, will help manage calls, making sure that officers have time to problem solve and that officers spend their proactive time wisely, not just on car stops or routine patrol. Sergeants will play a key role in ensuring or inhibiting the successful transition of problem solving responsibilities from specialized units to patrol officers.

Additional training for crime analysts in how to do longer-term analysis (rather than just tactical analysis) will also be critical. Both tactical and strategic analysis is involved in problem solving. Longer-term analysis reveals deeper, more robust patterns and intervention points that are more likely to have long-term impact. The training material on crime analysis and the new tracking system provided to the rank of lieutenants and above suggested that tactical analysis is the primary approach of crime analysis. But given the CA emphasis on problem solving, it is important also to focus on strategic and longer-term analysis. The recent partnership between University of Cincinnati and the CPD (proposed by the CPD) is an excellent step in that direction.

With respect to documenting and disseminating problem-solving experiences in the field throughout the CPD, we had hoped that the CPD would begin disseminating problem-solving write-ups so officers and civilians will have tangible examples of what is possible and what is expected. This has not occurred and no progress has been made this reporting period. We also are disappointed that a PowerPoint presentation will be developed rather than a video from Chief Streicher expressing his commitment to CPOP. A message from an organization's leader that everyone can see and hear is different than a PowerPoint presented by others. The CPD remains in partial compliance on this subsection.

As for public accessibility of problem-solving efforts, the CPD's problem solving descriptions remain accessible to the public via the internet on the CPOP website. The CPD is in compliance with the public dissemination requirement of this subsection.

Concerning the emphasis on problem solving throughout the CPD, we hope to see more emphasis on problem-solving in the final months of the Collaborative Agreement,

so that the approach becomes integral to how the Department does business. The CPD remains in partial compliance with this subsection.

In earlier Reports, we noted that 29(b), (c), and (d) are linked. These and other CA sections are meant as ways to facilitate the adoption of problem solving as the CPD's principal strategy to reduce crime and disorder in Cincinnati. We have found the Parties in compliance with the public dissemination requirements under 29(b) and (c). However, because problem solving is to be adopted as the "principal strategy for addressing crime and disorder problems," the portions of 29(c) and (d) that deal with training and dissemination within the Department require greater efforts, as they are meant as a way to effectuate significant change in the organization. The Parties are in partial compliance with this section of the CA.

Parties' Status Update

January – April 2007: In-service training for CPD sworn personnel. See Appendix Item 3.

In response to the Monitor's suggestion to provide "additional training for crime analysts in how to do longer-term analysis (rather than just tactical analysis) will also be critical", the CPD is continuing its collaboration with the University of Cincinnati through graduate student, Rob Tillyer, to increase the effectiveness and efficiency of the CPD's crime analysis. A steering committee has been formed with a representative from each bureau. See Appendix Item # 15 to view Mr. Tillyer's most recent progress report.

The CPD acknowledges the continued recommendation by the Monitor that the Department *may* want to "develop highly focused training for supervisors about guiding, coaching, and training officers in problem solving. An important aspect to the training will be the sergeants' role in officer time management." The CPD requested and received suggestions regarding resources available covering time management specific to law enforcement. Upon follow-up, all suggestions were exhausted and, unfortunately, the CPD was unable to locate the kind of training recommended by the Monitor. There are currently no plans to continue exploring this option.

In response to the assessment that the Monitor "had hoped that the CPD would begin disseminating problem-solving write-ups so officers and civilians will have tangible examples of what is possible and what is expected" and the statement that "[t]his has not occurred and no progress has been made this reporting period⁹" is inaccurate. The Parties included several publications including the *Collaborative Quarterly* (Summer 2006) which covered topics such as the CPOP Summit where police officers, Partnering Center staff and citizens shared ideas and solutions to the City's most troubling problems. Additionally, the Parties included the brochure that accompanied the Second Annual CPOP Awards Banquet; a document distributed to over four hundred people, officers and citizens alike. The contents of the document highlighted the problem-solving efforts worthy of receiving city-wide recognition for their success. The CPD respectfully refers the Monitor to our December 2006 Status Report, Appendix Items 5, 10 and 12; and

⁹ The reporting period the Monitor refers to covers May 6, 2006 through November 5, 2006.

CPOPCenter.org as well as the CPOP Website where a wide array of problem-solving examples are accessible to officers and civilians. The CPD continues to stress the availability of the CPOP website to officers and the public.

In response to the Monitor's comment reference the development of a PowerPoint presentation expressing a commitment to CPOP, the PowerPoint has already been developed and was included in the Parties' July 2006 Status Report, Appendix Item 18. The training was provided to all sworn and non-sworn personnel in 2004 and 2005.

Based on the evidence above, the CPD feels compliance has been met with respect to documenting and disseminating problem-solving experiences under this subsection. Training and proficiency is an on-going process and the CPD is committed to the continued training of its personnel on problem solving.

Item 29 (d), The Parties shall research best practices on successful and unsuccessful methods of problem-solving used by other professionals (e.g. conflict resolution, organizational development, epidemiology, military, civil engineering and business).

Monitor's Previous Assessment

We noted in prior reports that we have seen more publications about reducing crime on CPOP's website. Use of the website can increase the range of countermeasures used to impact crime. We hope that the revised CPOP tracking system further points users to crime research. We are heartened by the mention of research in some of the projects submitted, but it remains rare. Each quarter, the problem solving efforts should reflect an increase in the variety of countermeasures that research reveals as effective for different crime problems. For instance the supervisor over the project about sexual activity in a park should immediately guide the officer to the guidebook, Sexual Activity in Public Places, which is on the CPD's website. The guides provide a one-stop shop about a particular crime and safety problem and can steer officers away from ineffective countermeasures.

Another resource underutilized by the CPD are the reports produced for the CPD by the Ohio Service for Crime Opportunity Reduction (OSCOR), a collaborative with the University of Cincinnati. The reports analyze seven drug markets in four neighborhoods for the CPD and offer interventions. There is also a report containing recommendations for constructing a citywide drug market reduction approach:

- Open-Air Drug Dealing in Cincinnati, Ohio: Executive Summary and Final Recommendations at www.uc.edu/OSCOR/FINAL%20RECOMMENDATIONS.pdf
- Avondale Crime Reduction Project at www.uc.edu/OSCOR/AVONDALE.pdf
- Evanston Crime Reduction Project at www.uc.edu/OSCOR/EVANSTON.pdf

- Pendleton Crime Reduction Project at www.uc.edu/OSCOR/PENDLETON.pdf
- West Price Hill Crime Reduction Project at www.uc.edu/OSCOR/W%20PRICE%20HILL.pdf

The research reports contain the beginning analysis of these drug markets (specific analysis of the dealers and the buyers from arrest data was not available); along with information about the different types of interventions that have had positive effects on markets (48 different interventions are listed).

These reports offer highly specific research that the City can use to reduce drug markets. In addition, the citywide report shows how a comprehensive approach to closing drug markets across Cincinnati is achievable. We hope to see increased use of research in the CPD's efforts to counter open-air drug markets, reducing reliance on less effective, scattershot strategies, such as sweeps and reverse stings. One of the recommendations the report makes is that the CPD quantify the number of drug markets in the City and give their precise location. In addition, the report suggests sources for the information and additional information that needs to be gathered:

- What is the precise location of each market? (Multiple sources of data should be used to identify discrete markets. Potential sources of information are calls for service, narcotic arrest information, and resident surveys. After the markets are located, the following site specific questions should be asked to help develop responses)
- Who are the dealers/buyers and where do they live?
- What environmental features make this location attractive to dealers/buyers?
- What interventions have been or are currently being used to disrupt this drug market?
- Once identified, is there evidence to suggest that these interventions have or have not been successful?
- What other crimes that occur in this location are related to drug market activities (e.g., loitering, theft from vehicles, homicide)?

It is important to note here that a number of other cities have closed open-air drug markets. Open-air drug markets are not necessarily something that a city has to tolerate or just nick away at. Strategies in other places, based on the analysis and countermeasures listed in these OSCOR reports provide the CPD with a blueprint for shutting them. This reporting period, the CPD placed the OSCOR reports on the CPD website.

The Parties point to a gun violence reduction effort, Operation CeaseFire in Avondale, modeled after its counterpart in Chicago, as a researched-based program that it

is adopting. The Partnering Center has put a tremendous amount of effort into starting the program and keeping it going, although the December 2006 Status Report is less clear about City's full commitment to the approach, which is key to stemming the violence. Without the "pulling levers" piece that the CPD is expected to do, there is no specific deterrence mechanism strong enough to stem the shootings.

In the previous six months, the CPD has been more committed to the Vortex operation. In contrast to the potential of the Avondale CeaseFire effort, Vortex is a blunter instrument that does not focus in on individuals known to be at risk of gun violence. According to the CPD:

The Vortex Unit is a highly visible proactive unit that has a zero tolerance approach to street crimes, drug trafficking, and quality of life issues. The focus of this highly motivated unit is to seek out and physically arrest both minor and major criminal offenders by enforcing every law available and using every tool at our disposal to inconvenience criminals.¹⁰

During the Monitoring Team site visit to Cincinnati in October 2006, we attended a meeting in Avondale where the CPD presented a Vortex style approach, including greater code enforcement, which the CPD wanted to roll out in Avondale, although it is not clear whether the community was interested. The lack of Vortex assessment measures, beyond arrests and seizures, suggests that its current incarnation is not well researched, but rather is a resort to the more traditional style of policing Cincinnati was committed to prior to the MOA and Collaborative Agreement.¹¹

As we noted in our prior reports, the following developments would demonstrate compliance with 29(d): research is used in problem solving projects (see 29(b)); projects apply situational crime prevention if appropriate (the CA specifically mentions situational crime prevention); projects that are on POP Guide topics show awareness of the guide and its elements; research is used in crime reduction and traffic problem reduction efforts; best practice knowledge is used as a skills measure in the performance evaluations.

The Parties are in partial compliance with this provision.

¹⁰ <http://www.cincinnati-oh.gov/police/pages/-7849-/>

¹¹ In November 2006, we requested information from the CPD to obtain a thorough understanding of how CPOP is incorporated in the operation of Vortex. Our goal was to determine to what extent Vortex is part of, or complementary to, problem-oriented policing. We particularly asked for information on any analysis that was done on the front end and back end of the Vortex operations, related to specific locations that are targeted, as well as any efforts undertaken by the Police Department to dialogue with the community groups affected both before and after a Vortex unit is deployed in a neighborhood. We also asked for any documentation showing that the CPD is developing and using performance measures that are "outcome" or "results" oriented, rather than measures that simply assess activity, such as arrests and seizures.

Parties' Status Update

The Community Police Partnering Center Status Update related to Requirement 29 (d):

On Saturday, November 18th, the Community Police Partnering Center hosted the “Crime Prevention through Environmental Design” (CPTED) Workshop. Sponsored by the CPPC, the Cincinnati Police Department, and Tri-State Regional Community Policing Institute (RCPI), this half-day CPTED Workshop provided training and resources about this very useful method for dealing with neighborhood crime and disorder problems to an even greater number of Cincinnati citizens. The free workshop was held at the First Unitarian Universalist Church in Avondale.

The sessions at the CPTED workshop were designed to provide information to citizens about the core components of CPTED – Territoriality, Access Control, Natural Surveillance, and Image & Maintenance. The following CPD, RCPI and CPPC staff members presented on these topics:

- Tracey Wilson (CPPC) and Tom McGrath (RCPI) presented on **Territoriality** – Defining all spaces as public/private, turning the area over to legitimate users of the space
- Specialist Kelly Raker (CPD) and Amy Krings Barnes (CPPC) presented on **Natural Surveillance** – Increasing the perception that offenders can be seen
- Anika Simpson (CPPC) and Charles Houston (CPPC) presented on **Access Control** – Using entry and exit points as a way to regulate the rightful use of a location
- April Cummings (CPPC) and Dave Tobias (CPPC) presented on **Image and Maintenance** – Maintaining a property, thus decreasing the likelihood of offenses (Broken Windows Theory)

A total of 26 people participated in the CPTED Workshop; sixteen (16) of these individuals were citizens, ten (10) were Cincinnati Police Officers who served as data analysts in their Police Districts. Many residents of Cincinnati have, along with police officers, been trained in CPTED and have begun to utilize these environmental strategies as part of their CPOP problem solving initiatives.

CPD

In response to the Monitor’s comment that “the December 2006 Status Report is less clear about City’s full commitment to the approach [CeaseFire],” District 4 Command and Staff are members of the Law Enforcement/Justice Committee of CeaseFire and put a tremendous amount of work into the effort. In addition, the District Commander and the Investigative Sergeant work with the CPPC to identify high risk individuals that have the potential to bring harm to Avondale residents.

The CPD would also like to clarify the Monitor’s misconception that the October 2006 Avondale meeting. The Monitor states that “the CPD presented a Vortex style

approach, including greater code enforcement, which the CPD wanted to roll out in Avondale.” In actuality, the presentation given by Mr. Gregory Baker, Executive Manager of the Police Relations Section was on the “Focused City Services” initiative specific to Avondale. The concept *may or may not* include the utilization of Vortex as a potential response. The meeting was meant to provide an introduction of the concept to the community for their review and input.

Item 29(e). The Parties, consistent with the Community Partnering Program, shall conduct CPOP training for community groups, jointly promote CPOP and implement CPOP training.

Monitor’s Previous Assessment

During this reporting period, the Partnering Center and the CPD participated in a number of valuable trainings and presentations. We also see the newsletter as a valuable CPOP outreach tool and are pleased to see the CPD and the Plaintiffs participate in the newsletter. However, during this period, some discontent remained in the community about the CPD’s commitment to CPOP. A number of community council presidents representing some of those concerned community members met with the Mayor, City Manager, and Chief Streicher. A follow-up meeting is expected. After the meeting, Chief Streicher offered District captains greater latitude in assignment of liaison officers and neighborhood officers.

As we reported last quarter, the CPD has tried several different things to make District officers more responsive, including providing a CPOP cell phone to a District sergeant to center responsibility for officers’ attendance at meetings. However, some community members have complained that even that system is not working well. This reporting period, the CPD leadership raised the level of accountability to lieutenants for ensuring that liaison officers know the problems their teams are working on and attend CPOP meetings. We discuss this more in section 29(m).

Last quarter, we reported that new CPOP teams and CPOP projects were not being developed. This reporting period, movement is evident with an increase in CPOP engagement by the community.

Although there continue to be concerns about the continuity and problem solving knowledge of CPD members involved in current CPOP teams, the Parties are in compliance with the CA’s requirement for community training on CPOP.

Parties' Status Update

Community Police Partnering Center Status Update on Requirement 29 (e):

The Community Police Partnering Center organized and / or participated in six (6) trainings for 196 citizens in SARA, CPOP, and other problem-solving strategies between November 6, 2006 and February 5, 2007 (see chart below).

Month Training Occurred	Trainings Conducted	# of People
Nov. 15	SARA Training	7
Nov. 18	CPTED Workshop - 16 citizens; 10 police including 10 data analysts	26
Jan. 3	CeaseFire Cincinnati: Focus on Outreach	13
Jan. 20	Neighborhood Summit: Community Safety 101	65
Jan. 20	Neighborhood Summit: Introduction to CPTED	50
Jan. 20	Neighborhood Summit: Northside CPOP and MetLife Award	35
	Total	196

Training Highlights from this reporting period:

CPPC staff members assisted in the organizing of the 5th Annual Cincinnati Neighborhood Summit, held on January 20th at the Cintas Center at Xavier University. Two break-out sessions (Crime Prevention through Environmental Design and Community Safety 101) were facilitated by CPPC staff. Another session which involved a presentation by the Northside Community CPOP Team members was coordinated by a CPPC staff member. Also, the important partnership that exists between citizens, police and the Partnering Center through community CPOP efforts was highlighted by a CPPC staff member during the introduction of the Landlords & Crime Prevention session, which was then facilitated by CPD Specialist Kelly Raker.

The four trainings that the Partnering Center was asked to coordinate or facilitate were:

- Landlords and Crime Prevention – presented by Specialist Kelly Raker of the CPD, who was introduced as a valuable partner in CPOP initiatives by Amy Krings Barnes
- Community Safety 101 – presented by Anika Simpson of the CPPC.
- An Introduction to Crime Prevention through Environmental Design (CPTED) - presented by Tracey Wilson and Charles Houston of the CPPC
- The Northside CPOP Strategy - presented by Stephanie Sunderland and Dave Henry of the Northside CPOP Team (coordinated by George Roberts of the CPPC)

These trainings were largely attended by citizens from several Cincinnati neighborhoods. The Partnering Center also worked during this reporting period to organize its own Summit - the 2nd Annual CPOP Summit – which has been scheduled for Saturday, April 21st, 2007 at Crossroads Community Church in Oakley. The primary focus of the CPOP Summit will be Gun Violence Reduction and Prevention.

On a separate note, the Community Police Partnering Center did not conduct any additional Roll Call Trainings during this reporting period.

As a result of the ongoing trainings, outreach and support provided to neighborhoods by CPPC, we ended 2006 with the following statistics:

- Number of ACTIVE¹² CPOP Teams: **17**
- Number of RESOLVED CPOP Projects: **14**
- Total Number Active CPOP Projects during 2006: **31**

Although there was a total of 31 CPOP initiatives in 2006, these did not occur in 31 separate neighborhoods. Two main factors led to this outcome. One, some neighborhoods have more than one CPOP problem solving effort taking place simultaneously, and two, the emergence of CeaseFire in Avondale and North Avondale necessitated multiple CPPC staff members working on various components of this initiative, including CPOP efforts at more than one location in these communities.

CPPC staff was also engaged in outreach efforts, or provided some level of support or technical assistance in 15 additional neighborhoods throughout the year, bringing the total of communities in which the Center was engaged on some level in 2006 to 46.

As CPOP evolved in 2006, the number of CPOP Problem Solving efforts fluctuated throughout the year. Some initiatives carried over from 2005 were closed in 2006 while others were both opened and closed during 2006. Additionally, new problems were identified near the end of 2006 and have carried over into 2007 for completion.

As the Partnering Center moves into 2007 with an emphasis on a more focused and concentrated approach to neighborhood problem solving efforts, the number of active CPOP Teams will be reduced. Communities without CPOP Teams will continue to be supported by the CPPC through ongoing trainings, the sharing of best practices and limited technical assistance.

See Appendix Item 4 to view the status of CPOP projects by the CPPC.

¹² “Active” describes a team that has identified a problem as defined by the CPOP curriculum, and a Community Problem Solving Worksheet has been completed with input from community stakeholders, and CPD and CPPC staff

CPD

The Monitor is correct in his assessment that “the CPD has tried several different things to make District officers more responsive, including providing a CPOP cell phone to a District sergeant.” This is an example of CPD’s efforts to address concerns from citizens. It continues to be an ongoing effort. And while the Monitor goes on to say, “[however], some community members have complained that even that system [the CPOP cell phone] is not working well;” the CPD is compelled to point out that the Department received complaints from some citizens even when the Neighborhood Unit was intact as a separate entity.

***Item 29(f).** The Parties shall coordinate efforts through the Community Partnership Program to establish an ongoing community dialogue and interaction including youth, property owners, businesses, tenants, community and faith-based organizations, motorists, low-income residents and other City residents on the purposes and practices of CPOP.*

Monitor’s Previous Assessment

The CA requires the Parties, coordinated through the Partnering Center, to establish community dialogue and interaction with different segments of Cincinnati’s population. In July 2006, the CPD and the Partnering Center jointly participated in a NOBLE town hall meeting. Separately, one highlight was the CPD’s participation in the Bloom Elementary School one-day violence reduction program. The CPD also sought some community input on its strategic plan, although holding the meeting at the Police Academy may have limited citizen attendance. The CPD selected a citizen’s advisory board for input, and it is hoped that they provided feedback. Also, Chief Streicher’s meeting with MARCC in August to discuss the strategic plan is the type of outreach the CPD needs to continue doing.

In prior Monitor Reports, we have stated that a plan for structured dialogue, joint promotion of events and a review of the feedback from those events would show compliance with this CA subsection. It would also demonstrate compliance if the Parties scheduled follow-up meetings, and reported on the outcomes of the discussions and meetings, descriptions of areas of agreement and disagreement in the dialogue, and next steps. The Monitor is also open to evaluating compliance with this CA provision based on new measures agreed to by the Parties.

We believe more joint forums involving the CPD leadership would be beneficial, particularly as one of the CPD’s major approaches to crime reduction is zero tolerance, high enforcement suppression patrols, as evidenced by Vortex.

The Parties are in partial compliance.

Parties' Status Update

December 7, 2006: The Parties participated in a panel discussion hosted by Leadership Cincinnati, a program that expands the potential of participants for civic responsibility by providing basic community information in a creative manner. The topic, "How effective was the Collaborative Agreement and what is its future?" elicited a conversation between panelists and members of Cincinnati's business community.

January 24, 2007: Several female CPD personnel attended a panel discussion with police clergy to provide a better understanding of the challenges faced by females in law enforcement versus their male counterparts.

January 30, 2007: In response to RAND's release of its Police-Community Relations in Cincinnati: Year Two Evaluation Report, the City Manager, Mr. Milton Dohoney, Jr., invited Dr. Greg Ridgeway to the Law and Public Safety Committee Meeting to provide an overview of the results. Additionally, a Community Forum sponsored by the Parties to the CA, was held on February 1, 2007 where Dr. Jack Riley, Associate Director of RAND, and other members of the RAND team provided a brief overview of their report. A panel discussion regarding policing strategies followed. See Appendix Item 5.

February 2007: The CPD hosted several informational sessions covering the new Chronic Nuisance Premises Ordinance. The sessions were targeted toward property owners of multi-family dwellings in Cincinnati. Approximately 16,000 brochures were mailed and as of this report, there were a little over one hundred attendees. Due to inclement weather, a couple of the dates needed to be rescheduled. See Appendix Item 6.

March 2007: In regards to the "plan for structured dialogue" under this subsection, it was the Parties' hope to include a plan in this quarter's report. The Parties agreed that the Plaintiffs would develop the plan.

Item 29(g). The Parties shall establish an annual award recognizing CPOP efforts of citizens, police, and other public officials.

Monitor's Previous Assessment

The Parties have held two CPOP Awards Ceremonies. The Parties are in compliance with this CA provision.

Parties' Status Update

There are no updates from the CPPC related to plans for the 3rd Annual CPOP Awards Banquet.

Item 29(h). The City, in consultation with the Parties, shall develop and implement a system for consistently informing the public about police policies and procedures. In addition, the City will conduct a communications audit and develop and implement a plan for improved internal and external communications.

Monitor's Previous Assessment

The CPD's policies and procedures remain accessible and available to the public on the CPD's website, <http://www.cincinnati-oh.gov/cpd> . There is also a link in the City's CPOP website (<http://cagisperm.hamilton-co.org/cpop/>) to the CPD's procedure manual. This sends a signal to the Cincinnati public of the City's willingness to create more transparent police operations, which is essential to building trust in the community.

Concerning the second part of this CA section, this year's redeployment of COP personnel without prior communication to those personnel or the community showed a lack of transparency from which the CPD has had to recover. However, the City has conducted a communications audit and has continued efforts to implement a communications plan.

The CPD is in compliance with this CA provision.

Parties' Status Update

See Appendix Item 7 to review the minutes from Internal Communications Council meetings (November 2006 and January 2007).

Item 29(i). The CPD will create and staff a Community Relations Unit.

Monitor's Previous Assessment

The City is in compliance with this CA requirement.

Status Update

The Police Relations Unit is staffed, effective, and fully operational.

Item 29(j). The Parties shall describe the current status of problem-solving throughout the CPD via an annual report. Each party shall provide details on what it has done in relating to its role in CPOP.

Monitor's Previous Assessment (9/1/06)

The 2006 CPOP Annual Report documented the progress communities have achieved in CPOP and their work on chronic crime problems. It is the Parties' fourth

annual CPOP report. The efforts documented in the Report were the result of significant hard work. The challenge this year will be for the CPD and the Parties to fulfill Chief Streicher's stated ambition –fully integrating CPOP throughout the Department.

The Parties have been in compliance since September 2003.

Parties' Status Update

The Parties have nothing new to report under this subsection.

Item 29(k). The CPD Commanders shall prepare quarterly reports that detail problem-solving activities within the Districts. Reports shall identify specific problems and steps taken by the City and community toward their resolution. Reports shall identify obstacles faced and recommendations for the future. Reports should be available to the public through the Community Relations Unit.

Monitor's Previous Assessment

All District Commanders and Special Units provided updates this reporting period on their problem solving efforts. We are heartened to see memos from the Community Relations Office to each District and Unit Commander outlining their reporting requirements under the CA.

There are a number of observations the Monitor Team has concerning the District Commander Quarterly Problem-Solving Reports. First, most of the projects did not follow the Critical Elements format that the CPD requires. Second, for the few that do follow the form, most fail to include basics such as how many calls and crime reports, and identification of suspects – information that is key to any crime investigation. Third, it appears that District personnel are not looking at other case studies or research when taking on a project. Fourth, most of the projects contained in the District Commander Quarterly Reports are duplicates of projects that are contained in the CPD's CPOP tracking system, increasing the workload of those trying to engage in and document problem-solving. It may be more efficient and just as effective for the quarterly reports to describe new efforts undertaken, and simply to refer to the reports that are already included in the tracking system. The Monitor will defer to the CPD regarding how it wants to document and track problem solving projects. We did note, however, that the information contained in the quarterly reports generally was more up-to-date than the reports of those same projects in the tracking system.

On the brighter side, we see an increased use of landlord and property management as place controllers at problem properties, although there are some projects that seem to ignore this as an approach. We also see increased involvement by residents and citizen groups with officers in directing them to problems. Below are some additional comments about the District reports, followed by comments about the reports submitted from special units.

District 1 Quarterly Problem Solving Reports

- Most of District 1's projects focus on enforcement as the main response, including increased patrol and enforcement. For the most part, little analysis is conducted on these projects. There are several exceptions, such as the write-up by the Downtown Services Unit about drug dealing and prostitution at 31 E. Court Street, which more closely follows the Critical Elements Form than any other project. Another write-up containing better detail than most, although the project is only in the response phase, is 127-129 East Clifton.
- Most of the officers use call for service (CFS) data that is not up-to date. For instance, on projects submitted to the District 1 Captain in August, a number of the officers use CFS data from January through May, rather than January through July. Data should be as recent as possible.
- Officers and sergeants developed projects on several separate prostitution problems. In earlier CA Status Reports, the CPD mentioned its involvement with the Off the Streets Program; there does not seem to be any mention of this program in these problem solving efforts on the ground level.
- SAR600096, which is contained in District 1's Quarterly Problem-Solving Report, appears to be the same project as SAR600095 in the problem tracking system, involving two homeless encampments on Mehring Way.
- A number of the projects listed for the August 2006 District Commander report were not updated for the November 2006 report.

District 2 Quarterly Problem-Solving Report

- The District 2 Quarterly Report contains two projects that appear to be the same, both for drug sales at 3400 Woodburn Avenue, SAR0600044 and SAR040029. The latter is listed as resolved.
- There are a number of reports that contain no data, such as the two thefts-from-autos projects in Mount Washington, the 3027 Robertson Avenue drug sales project, and the drug sales project at Montgomery Road and Clarion Avenue.

District 3 Quarterly Problem-Solving Report

- In the November 2006 Quarterly Report, there are two cases that are not in the tracking system: 3359 Fyffe Avenue and the Fay Apartments on Nottingham Place. The latter project has been ongoing for a number of months, so at this point, it should be in the CPOP tracking system.

District 4 Quarterly Problem-Solving Report

- There are two projects in this District's Quarterly Report that are not in the tracking system: drugs and prostitution at 924 East McMillan Avenue and drugs and prostitution at 990 Cleveland Avenue (this project is still in the scanning stage). Concerning the 924 East McMillan Avenue project, there is a CPOP project in the tracking system for 954 East McMillan for drug sales from July 2006 listed as resolved (CPPOP050010); however, the tracking system case file for this project contains no information about the project other than the CPOP number, address, and officer name, so it is unclear if this is the same project or two separate drug markets on the same block.

District 5 Quarterly Problem-Solving Report

- There are four new cases that are not duplicates of cases in the CPOP tracking system: speeding vehicles and traffic accidents on McAlpin Avenue between Ludlow and Middleton Avenues; trespassing and drug sales on Juergens Avenue; loitering at Dutch Colony and Holland Drives; and drug and prostitution activity at 1722 W. Northbend Road.
- In a project such as the one on Northbend Road, where the officer identifies residents of the building as problems and there have been 11 family trouble calls, there is no indication that the officer has spoken to the problem families and the property owner about the problems. The response listed is simply directed patrols in the area. Sergeants should be reviewing these forms and coaching officers in problem-solving. If it is a documentation problem, sergeants should be able to advise officers about this as well, so that case files are adequate, if not comprehensive.

Special Services Section: Park, Traffic and Youth Services Units

The Monitor met with the captain in charge of these units in October and learned that some projects were more involved than past reports described; we encouraged the captain to provide greater detail in the project write-ups. The write-ups in the latter part of this reporting period reflect some additional details, such as:

- Information about improved data sets the Traffic Unit will use to analyze crashes and fatalities and the improved training in traffic analysis the traffic analyst has received;
- The addition of video surveillance to deter sexual activity in Mt. Airy Park, and the long-term need for physical layout and design changes (as previously reported) for inclusion in the park's master plan. (We referred the captain to a problem-oriented policing guide on the CPD's website devoted to this subject.)

Criminal Investigations Section: Major Offenders, Financial Crimes, Homicide and Personal Crimes Units

The Monitor met with representatives of these units in October 2006 to examine their problem solving efforts. Most of these units see their role as investigators of new crime, not also as preventers of predictable crime, and none had any training in problem-solving as it relates to their current assignment. Many of the problem-oriented policing guides are devoted to the types of crimes investigated by these units, although there was no evidence of their use.

- The Financial Crimes Unit describes an effort that expedites victim services to those who have been prey of identity thieves and notes an over 30 percent reduction in reports of ID theft to the Unit so far this year. However, there is no explanation for the decline, particularly since the effort is not preventive. Also, there is no mention if there is a similar or opposite trend in the rest of Hamilton County or in other large Ohio cities, such as Cleveland or Columbus.
- The Homicide Unit met with Hamilton County's Family and Children First Council's Child Fatality Review Team to discuss reducing the number of child deaths attributed to a parent/guardian rolling over onto a child while sleeping together. The Children First Council renewed a media campaign about the problem. The Quarterly update notes that the Homicide Unit is in discussion with the Council about its role in the campaign. In a meeting with a member of the Monitor Team, however, no further role was being contemplated.
- The Vice Unit is arresting drug buyers and seizing their vehicles to increase the risk to buyers. From January through October 2006, the CPD seized more than 190 vehicles, requiring a bond payment and storage costs before the vehicle's release. Thus far, none of the offenders has been rearrested.

Police Academy Training Section

The 100th recruit class participated in a problem-oriented policing project in Northside aimed at reducing auto break-ins. The recruit class researched a similar successful project that was a joint effort of the University of Cincinnati Police, the CPD and the University of Cincinnati Criminal Justice Department. We devote more attention to this effort in section 29(1).

In prior Reports, we noted that compliance with this CA provision will be demonstrated when all of the District and Unit Commanders prepare quarterly reports that detail problem solving. In our last Report, we noted disappointment that only a small number of the projects contained in the Unit Commander reports reflected familiarity with problem solving. Instead, many contained no relevant analysis. In our view, there was a lack of oversight, guidance, coaching, and perhaps adequate training on problem solving, and very few, if any, of the reports followed the template the CPD adopted in its December 2005 form, "Critical Elements that Must be Included in the Quarterly Problem Solving Report."

In our review of the most recent Problem Solving Quarterly Reports, we unfortunately still see some of these same problems. While there were a voluminous number of projects submitted in the District Quarterly Reports, most of these were duplicates of ones already in the CPOP tracking system, and there was a great deal of unevenness. Reports, for the most part, still do not contain start dates for each project, only the date the report was submitted to the Captain or to Chief Streicher. Some do not contain basic information about calls, call types, and crimes. Some contain some numbers, but often they are “for the area,” as opposed to the building or block that is identified as problematic. If the data is for the block then the data should specifically say so and it should exclude calls and crimes that are not relevant to the inquiry and the reason why. The time lengths for the data also remain problematic. Some are from months prior, not covering the recent months, which is needed as well. Some projects note that calls and crime levels “will be examined,” but they are not reviewed in subsequent write-ups.

In prior Reports, we had asked that the Department’s Crime Analysis Unit submit a quarterly report to document its analysis efforts. The CPD responded that the work of the analysts is contained in individual problem solving reports in the District and Unit Commander reports. It may be that the CPD crime analysts are providing analysis to officers, sergeants, and investigative units conducting CPOP projects, but if so, the analysis is not being included in these reports. As for the Unit Commander Reports from the specialty units, there is little evidence of familiarity with problem solving and its application to their portfolio. The Unit Commander Reports do not contain evidence that any analysis has taken place. Overall, while the quality of the problem-solving efforts in the District and Unit Commander Reports remains low, we found an improvement in the quality of administrative review in District 3, which we believe will lead to improvements in the overall quality of problem solving in that District. We believe this level of scrutiny should be practiced throughout the organization.

In this final year of the Collaborative Agreement, we believe the CPD has an enormous opportunity to improve the quality of the problem solving in the Department. Just as the CPD would not find it adequate if a detective’s investigative case files omitted key facts and findings, so too should the bar be raised for problem solving projects, given the amount of time that has passed since the signing of the CA and the requirement that problem solving be adopted as the CPD principal crime fighting strategy.

We mentioned in our last Report that it is an opportune time for the CPD to ramp up the knowledge-base of officers, supervisors, managers and commanders about crime and safety problems. In the last five years alone, there has been a substantial increase in terms of what is known about crime and countermeasures. A fair amount of that is now contained in the problem oriented policing guides, over 50 of which are now available (the CPD website states that there are 19). With this knowledge, we believe that District and Unit Commanders will be well equipped in their new responsibilities, although accountability mechanisms must be put in place as well.

As we see it, the CPD has several tasks before it regarding this section. We mentioned last quarter that the CPD has recognized that making time for officers to problem solve is important; now that must be made an objective (and placed in the Strategic Plan so that it will be measured and managed). Improving the quality of the problem solving, the quantity of the problem solving, and the oversight and management of systems designed to track and support problem solving requires more of the CPD leadership's vigilance.

The CPD is in partial compliance with this section of the CA.

Parties' Status Update

December 28, 2006: The CPD requested and received clarification from the Monitor reference Quarterly Problem Solving Reports. All five districts have access to the SARA application required for entering CPOP cases and problem-solving projects into the CPOP website¹³. In an effort to eliminate redundant documentation, Quarterly Problem Solving Reports (QPSR) will no longer be required from Districts with access to the SARA application. However, all other units and sections required to document problem-solving activities will continue to utilize the Form 17 QPSR. See Appendix Item 8.

The following Districts/Sections/Units submitted Quarterly Problem Solving Reports:

- District 1¹⁴
- District 5
- Special Services Section
 - Park Unit
 - Traffic Unit
 - Youth Services Unit
- Central Vice Control Section
- Criminal Investigation Section
 - Financial Crimes Squad
 - Homicide Unit
 - Personal Crimes Unit

A special report from CPD's Intelligence Section is also included. See Appendix Item 9.

The CPD has also included "End of the Year" summaries from the crime analysts. See Appendix Item 10.

¹³ <http://192.168.100.200/cpop/>

¹⁴ District 1 also included a response specific to the Monitor's comments regarding entered cases.

Item 29(l). The Parties shall review existing Police Academy courses and recommend new ones in order to effectively and accurately inform police recruits, officers, and supervisors about the urban environment in which they work.

Monitor's Previous Assessment

This quarter showed progress. The recruit training is becoming more inclusive of community crime and safety concerns by having recruits attend community meetings and participate in a problem-solving effort. FTOs are becoming more familiar with problem solving, and hopefully, this will help sustain recruit interest in problem-solving once the Academy training is complete. At that point, it will be up to District sergeants, lieutenants, and captains to show their commitment to it so the new officers will see that their leaders expect engagement in this type of policing.

We also believe that Academy staff can be very helpful in crafting training for sergeants and lieutenants to improve their understanding of and ability to supervise and engage in problem solving efforts. We encourage the Academy staff to review prior quarter's Unit Commander Problem Solving Reports and entries in the problem tracking system, so they can help craft tailored training for supervisors and managers. In addition, the cross-cultural communication training provides additional context regarding the urban environment in which officers are working.

The Parties are in compliance with this section of the CA.

Parties' Status Update

The CPD did not have a recruit class during this reporting period.

Item 29(m). The Parties, in conjunction with the Monitor, shall develop and implement a problem-tracking system.

Monitor's Previous Assessment

We will begin our assessment by discussing the capacity of the tracking system, then we discuss the problem-solving projects, by District, that are contained in the CPOP tracking system (and we note also those that are potentially promising projects). We follow with a discussion about the future of the tracking system.

In the December 2006 Status Report, the CPD now says that the CPOP tracking system will not offer access to 911 call for service data or the crime data, mug shots, and contact card information. The CPD states that difficulties with software conflicts and conflicting name extensions are the cause. We agree with the CPD that compliance in this section does not require access to these items through the tracking system, although we too believe that these enhancements would make problem solving much easier. The CPD suggests that the information is still available through the "Repeat" database on the

department's H-drive as well as through the Crime Analysis Unit. We discuss the "Repeat" database in section 29(p).

In our last Report, we stated that improvements to CPOP efforts and problem solving documentation needed to occur immediately. Our expectations included:

- A fully functional CPOP tracking system
- Captains held accountable for the quality of the problem solving
- Projects completed or handed off to other officers appropriately
- The cases contain few errors or omissions
- Free form boxes are completed with relevant descriptions, data, analysis, response information, and assessment outcomes
- Supervisors and mentors are actively engaged in coaching and guiding officers so they can succeed in producing higher quality efforts that are consistent with the CPOP definition adopted by the Parties

In summary, we have not found the kind of improvement that we believe is required. As one can see from a review of the cases, there clearly are some good projects (Districts 3 and 5 have shown the most attention to their projects), but many are short on analysis. Some even appear to be abandoned, and of those completed; many do not show any real assessment of impact. We expressed concern that so many CPOP projects were summarily listed as resolved, without care as to whether in fact the crime and disorder problems that were identified were reduced or eliminated. Again, this suggests a lack of critical thinking during the administrative reviews about the process of problem solving and the results achieved.

Crime reports and investigative reports have to pass adequate supervisory approval in police agencies. The quality should not be any less for those kinds of CPOP case reports. An officer who begins work on a problem motel should be able to look in the database and see what other projects there are involving problem motels that could be instructive. The same is true of an officer or sergeant working on a problem apartment complex, or a problem convenience store, or a problem single family home – the officer or sergeant should be able to check the system for similar projects. One problem appears to be that the tracking system is down frequently; this has been the case since the debut of the system. The CPD should quickly resolve this issue, as it appears that many of the system crashes result from user errors and not a computer system capacity issue. The system needs to be consistently in operation. In conjunction with this, the case write-ups in the tracking system need significant improvement and oversight. We have stated this over many reporting periods.

On a separate note, the *Analysis 2* section of the CPOP/SARA reports in the tracking system is invariably neglected. Officers are not completing this section. Indeed, there may not be a need to keep this section, as the information sought is ancillary to problem solving. Perhaps removing this section from the CAGIS reporting system will make it easier for supervisors to oversee the completion of a leaner report.

We have not seen significant improvement this reporting period. In fact, many of the same deficiencies we reported on earlier have been repeated. The Parties are not in compliance with this provision.

Parties' Status Update

Twenty six new cases were entered into the tracking system during this reporting period:

<u>District 1</u>	SAR0600103	Resolved
	SAR0700004	Scan
	SAR0700005	Scan
	SAR0700014	Scan
	SAR0700013	Scan
<u>District 2</u>	SAR0700015	Analysis Started
	SAR0700017	Resolved
	SAR0700016	Response Being Implemented
<u>District 3</u>	SAR0600104	Resolved
	SAR0600109	Resolved
	SAR0600108	Response Being Implemented
	SAR0600107	Response Being Implemented
	SAR0600105	Response Complete
	SAR0600110	Response Being Implemented
	SAR0600111	Response Being Implemented
	SAR0700006	Response Being Implemented
	SAR0700008	Resolved
	SAR0700007	Response Being Implemented
	SAR0700011	Response Being Implemented
	SAR0700012	Analysis Resolved
	SAR0700018	Scan
<u>District 4</u>	SAR0700002	Scan
	SAR0700001	Scan
	SAR0700010	Scan
	SAR0700009	Scan
<u>District 5</u>	SAR0700003	Response Being Implemented

The Police Relations Section issued a Form 17 to affected Bureau Commanders in response to comments from the Monitor relating to the tracking system. (See Appendix Item 11.) The CPD recognizes and acknowledges the need for improvement in problem entry. The CPD has struggled with this paragraph for some time but has never wavered in this endeavor. The Monitor is aware of the numerous technological issues that have negatively impacted progress in this area. However, the CPD continues to be diligent in

promoting the use of the tracking system which is evident with the number of cases that have been entered and edited during this, as well as previous, reporting periods.

The CPD strongly believes that compliance in this area should be amended to partial given the utilization by every district with access to the SARA application. While the CPD is aware that a tracking system is only as good as its content, the requirement to “develop and implement a problem-tracking system” has been met. The CPD intends to continue working with personnel to address the quality of the information and level of analysis required to accurately describe problem-solving efforts. We do not anticipate an immediate change but rather a progressive improvement over time.

Item 29(n). The City shall periodically review its staffing in light of its commitment under CPOP and make revisions as necessary subject to funding provisions of this Agreement.

Monitor’s Previous Assessment

The CA requirement suggests an assessment is required of the Department’s organization in light of the adoption of problem solving as the principal strategy for addressing crime and disorder problems.

The redeployment of COP officers back into patrol, widening the responsibility for problem solving, has allowed the CPD, through transfers of officers, an opportunity to increase staffing at Districts that have high crime and calls for service. This is an important move and consistent with the principles of this CA section. We also believe that the hiring and training of additional crime analysts is an important step in moving towards a more information-driven department. These crime analysts will need to have a full understanding of problem-oriented policing so they can provide greater assistance on projects of increasing complexity. The crime analysts should be extremely well-versed in the type of analysis problem solving typically involves and the wide variety of countermeasures that can be used to stem crime. The problem-oriented policing guides on the CPOP website offer a good start to begin their education about problem solving.

To meet the goal of problem solving as the principle strategy for crime fighting in Cincinnati, the Department requires additional crime analysis. Advanced knowledge about analyzing crime and safety problems is highly advisable. As the monitoring of crime continues in the coming years, the CPD may find it requires more crime analysts to help unravel and digest data, and direct police responses to crime.

The Monitor noted in our last Report that the strategic plan should support and accelerate the move towards CA compliance, so the CPD can fulfill its already defined responsibilities under the CA. These responsibilities form the basis for both impacting crime and establishing trust between Cincinnati residents and the police. The new Strategic Plan mentions both CPOP and problem solving. In the Chief’s letter introducing the plan, he states,

Through the use of crime analysis and problem-solving, we will target issues more precisely, which will reduce crime and more effectively use our resources.

We think the plan includes a number of good things, including sections or subsections on:

- increasing the use of non-criminal strategies as problem solving tools
- implementing and following up on CPOP problems
- augmenting police-community involvement in problem-solving projects
- training all employees in CPOP and SARA
- increasing community involvement in education programs
- developing programs for diverse communities
- expanding CPOP philosophy to the entire department
- introducing more beat officers at community meetings
- creating mailers for stakeholders advising them of events
- creating new standards for evaluation of performance
- training all employees in crime analysis
- expanding recruiting efforts to maintain hiring of qualified, diverse workforce
- utilizing civilians instead of sworn employees to free up officers for redeployment utilizing students from local universities to assist in satisfaction surveys, grant writing, and operational studies
- expanding volunteer opportunities for assisting the Department in daily operations

We believe that the Strategic Plan also is a good place to state the CPD's commitment to the MOA and the CA. Although the plan is fluid to meet changing conditions, it is expected to last five years until the next CALEA accreditation timeline. We believe that the Strategic Plan can be used to more quickly operationalize the CA. We ask that the CPD consider inserting additional items from the CA in the Strategic Plan so that these can be accomplished more quickly, such as revising job descriptions, having a fully functioning, high quality on-line POP project tracking system, increasing officer proactive time to problem solve and attend community meetings.

As we noted in our last Report, the CPD's efforts to increase participation in CPOP, the redeployment of officers to higher crime areas based on analysis, and the hiring of crime analysts put the CPD in compliance with this subparagraph of the CA. The CPD has acknowledged that making time for officers to problem solve is an important objective (so it should be placed in the Strategic Plan, as it is then more likely to be measured and managed).

Last Report, we stated:

To maintain compliance with this provision, the CPD leadership must advance its efforts to improve the quality of the problem solving, the quantity of the problem solving, and the management of systems designed to track problem solving.

We did not see progress on this front during this period. The tracking system is still more out of service than operational; community members remain dissatisfied with the level of commitment from the Department pertaining to officers attending community and problem-solving meetings (although District Commanders are now being given some additional leeway in assigning personnel); quality problem solving documentation is lacking; and the primary strategy the CPD applied this period to crime reduction was saturation patrol and zero tolerance through Vortex Unit operations, all of which is inconsistent with the CA Agreement. For these reasons, the Monitor finds that the CPD is in partial compliance with this CA provision.

We see this final year of the CA as a critical time in the advancement of effective and fair policing in Cincinnati. The Cincinnati Police Department cannot use mass arrests from saturation patrols and zero tolerance as its path into better policing. More precise strategies are required. In December 2006 and the first weeks of 2007, the City of Cincinnati has arranged for a problem oriented policing expert, Professor David Kennedy, to speak with Chief Streicher and others about different approaches to violent crime reduction. Professor Kennedy developed both the Boston juvenile gun violence reduction project from the mid-1990s and the High Point overt drug market elimination project begun in 2004. Both approaches are based on a more thorough analysis, and deliberative, precise countermeasures than wide sweeps of neighborhoods. The Partnering Center had sought the CPD's interest in this approach as well, including its efforts to advance the Avondale Operation CeaseFire initiative. We believe that Cincinnati is again being presented with a golden opportunity to try a different approach. As we move into the New Year, we will monitor progress on this and the CPD's commitment to other problem solving approaches already begun.

Parties' Status Update

The CA requires the City to *periodically* review staffing in light of its commitment to CPOP. In recent reports, the Monitor has been advised of the changes the CPD has made using this agreement as a guide. The addition of several crime analysts and the reorganization of the neighborhood units speak volumes about the level of commitment within the police department. The evidence of compliance, as agreed to by the Parties and the Monitor, include:

- 1) Departmental review of the staffing plan
- 2) Workflow proposal (CPOP principles followed by each district)
- 3) Proactive time used for problem solving

The CPD contends that the expectations necessary for compliance have been met under this subsection. The Monitor, alone, has expanded the requirement to include the following: "efforts to improve the quality of the problem solving (29 k), the quantity of the problem solving (29 k), and the management of systems designed to track problem solving (29 m)." The Monitor further implies that the compliance determination under 29 (n) depends on an operational tracking system (29 m), a satisfied community and the misinterpreted use of the Vortex Unit. The CPD acknowledges the areas where improvement is necessary; however, those assessments belong under the appropriate

subsection as listed above. The CPD should not be held out of compliance under Paragraph 29 (n) when clearly, those requirements have already been reviewed.

***Item 29(o).** The City shall review and, where necessary, revise police departmental policies and procedures, organizational plans, job descriptions, and performance evaluation standards, consistent with its commitment to CPOP.*

Monitor's Previous Assessment

Performance Evaluations. The 2004 adopted performance evaluations do not yet place the CPD in compliance. We are hopeful that the revised system the CPD has been working on will be completed and available in early 2007 and will put the CPD in compliance. We stated that any new performance appraisal system should be consistent with the CA and MOA; it should support problem solving, reflect that problem solving is the principal strategy of the Department, and be a means of accountability within the Department. The CPD states that knowledge and practice of CPOP will be included in the performance evaluations and that the supervisors will be required to list and discuss with the employee the ETS risk categories for activity during the employee's rating year. We expect the Chief of Police to provide the Monitor with a draft of any new performance evaluations prior to their adoption. Performance evaluations are an essential element of the organizational infrastructure needed to sustain CPOP.

Job Descriptions. As we have noted in prior Reports, the CPD will need to revise its job descriptions in light of CPOP, particularly those relating to patrol officers, police specialists, investigators, FTOs, sergeants, FTO sergeants, lieutenants, captains, and lieutenant colonels. Revising job descriptions allows a police organization the opportunity to redefine its approach and what is expected of its employees, as well as the types of skills it seeks for different positions. It also helps clarify the types of skills sought through recruitment. If problem solving is central to how the CPD will police, then it is these skills and evidence of their use (among other things) that will be reflected in selecting people who should be promoted or assigned to special assignments. In addition, revised performance evaluation systems and job descriptions can help support the Strategic Plan, which is discussed in 29(n).

Policy Revisions. Last year, the CPD leadership directed specific Unit Commanders to file a quarterly problem solving report and use the form titled *Critical Elements That Must Be Addressed in Quarterly Problem Solving Reports* to improve upon the type of information that is contained in these reports. Even though the form was adopted nearly a year ago, Unit Commanders rarely use it. We believe that it will be helpful if the CPD provides examples to the Unit Commanders of a thorough, complete write-up of a project, just as examples are used when introducing other types of reports in a department. In October 2006, the CPD revised its new Problem Solving procedure (12.370). The procedure describes how projects are to be opened, completed, and closed. In addition, it identifies reporting requirements for District and Unit Commanders. The

new procedure states: “The SARA problem solving methodology is the primary process for addressing crime and disorder problems.” It is clearly a step forward when the CPD acknowledges the primacy of the approach in Department crime reduction. We hope that the procedure will clarify some of the processes around problem solving.

That said, we are concerned that there may be lingering confusion around the Unit Commanders’ use of the Critical Elements Form. The new procedure does not require the use of the Critical Elements Form, rather a different set of questions are posed that are required to be answered, providing much less guidance than the Critical Elements Form:

- Specific problems addressed identifying causes, scopes, and effects of the problem.
- The quantitative measuring device used on the problem.
- Steps taken to resolve the problem.
- Obstacles encountered and recommendations for future improvement.

We seek clarification from the CPD about the expectations around the use of the Critical Elements form and the steps bulleted above. For example, there is no requirement in the steps above for assessment.

Organizational Plans.

In sum, the City took a step forward a year ago by adopting the new Critical Elements form, but it is still not in use by most of the Unit Commanders. The newly adopted problem solving procedure clarifies many aspects of opening and closing problem solving cases, but there may be confusion about the form Unit Commanders will have their personnel use in documenting problem solving efforts. Revisions to performance evaluations and job descriptions are key elements in this section, as they can help drive the type of change the CA requires. But we have not yet seen a draft of the performance evaluations. Finally, concerning organizational change, we saw the redeployment of COP personnel as a significant step towards wider adoption of CPOP -- if the CPD made sure that its District Commanders and Unit Commanders are accountable for the implementation of CPOP and that it is not considered incidental to the officers’ other responsibilities. We are seeing some progress on this front, but more is required, particularly given our findings in 29(k) and 29(m). Overall, we believe that more progress is still required for compliance under this section.

The CPD is not in compliance with this section of the CA.

Parties’ Status Update

Policy Revisions. There have not been any revisions to policies or procedures related to CPOP during this reporting period.

In response to the Monitor's request for clarification regarding the *Critical Elements* form and its use, the CPD's Police Relations Section authored the document, with assistance from the Monitor, to serve as a guide for Commanders. The use of the document has not been incorporated into policy or procedure.

Performance Evaluations. See the revised version under Appendix Item #16.

Job Descriptions. The CPD recently requested further clarification from the Monitor regarding the department's job descriptions. Unfortunately, the Monitor simply referred the CPD to past reports that have been read and reviewed. The CPD strongly urges the Monitor to provide clear language necessary for inclusion in the November 2004 revised job descriptions provided over the past two years. The CPD is amenable to suggestions by the Monitor for consideration in further revision, if necessary.

See Appendix Item 13.

Organizational Plans. As the Monitor points out, CPOP and problem-solving are included in the newly adopted Strategic Plan. Supervisors throughout the department are required, at the direction of the Police Chief, to provide a six month progress report. Some highlights from the report include:

- Objective: to increase the use of non-criminal strategies as problem-solving tools
 - Districts 1, 3 and 5 utilized Code Enforcement Response Teams (CERT) to address problem properties. District 4 worked with the Buildings and Inspections Department to demolish several problem buildings.
- Objective: to increase community involvement in education programs
 - The Police Academy hosted numerous training programs including a Citizens Police Academy, a Personal Safety for Women class and Homeland Security.
- Objective: to expand the CPOP philosophy to the entire department (through officers trained and the number of officers attending community meetings)
 - Districts continued to represent the police department through attendance and involvement at neighborhood meetings

The time period covered in the most recent report is June 2006 – December 2006. See Appendix Item 12.

Item 29(p). The City shall design a system that will permit the retrieval and linkage of certain information including repeat offenders, repeat victims, and/or locations.

Monitor's Previous Assessment

We noted in prior Reports that the new system the CPD has selected is expected to be capable of retrieving and linking information in the CPD's current computer information systems to enable the CPD to track repeat offenders, repeat victims, and repeat locations. This information can then be used in problem solving, CPOP cases, and District/Unit Commander reports. The system will increase the CPD's ability to identify trends and patterns and use them to undertake problem-solving efforts. While the CPD's current information systems provide some information, they are systems that are based on traditional models of policing, where incidents were documented typically as isolated or non-recurrent events, where pattern analysis might focus on an offender "m.o.," rather than also on repeat location, repeat location types, repeat victim, and repeat victimization locations. Up until now, the CPD was not using its current system to this capacity.

In our February 2006 site visit, we were very pleased that the Department is now able to provide some repeat victim and repeat offender information, which the CA has called for and we have requested. We expected to see projects associated with the people identified by the repeat data. Unfortunately, this has not occurred. While the Communications Unit sends District Commanders repeat address, victim and offender information each month, we have not seen evidence of its use in problem solving projects.

The CPD included some of the repeat information for District 1 in the appendix of the current Parties Status Report; however, we do not see any of the names of the "repeat" individuals as SARA projects, nor do we see the Drop In Center, a top site for repeat crime and disorder (and repeat arrestees) listed as a problem-solving project. As we know that the CPD is concerned about this location, we suggest that it is a good candidate for a higher level problem solving project, and perfectly suited for further substantive analysis, which can be documented as the Department proceeds to try to reduce the problems there.¹⁴ The same is true of other repeat locations, such as the Kroger store in Over-the-Rhine. Given its durability as a hot spot, perhaps directed patrols and off duty details are not the most effective way to reduce crime there, and a problem solving effort might reveal other, more effective countermeasures. Having repeat data, but leaving it unused, is not the intention of this CA section.

In the spring of 2006, we said that if CPD made a few changes in the databases, we would agree that the CPD was in full compliance for this CA section. We noted that there is an excellent, brief publication on repeat victimization titled; Analyzing Repeat Victimization. We noted two particular suggestions from that publication regarding lengthening the time frame for data on repeat locations and victims, and on improving the accuracy of call taking, report taking and data entry.

During the winter, spring and fall of 2006, the CPD stated that it is reviewing the information we provided and considering changes to report taking (a newly designed m.o. sheet to be completed with an offense report) and using a larger time frame to identify repeat victimization. We expect to see the information from the databases, particularly drawn over a longer period of time, to be the basis of problem solving efforts initiated by the police around repeat victims, repeat locations, and repeat offenders. Again, we suggest the CPD to partner with the Partnering Center on some of these. Using the data in problem solving is just as important as creating the databases.

The CPD is in partial compliance with this CA provision, and it can use the information in the *Analyzing Repeat Victimization* publication to move into full compliance relatively quickly.

Parties' Status Update

Reports listing the Repeat Victim, Offender and Location (Businesses and Residences are separated) have been prepared and published for the four quarters of 2006. The information is available in a public folder on the H-Drive. The Information Technology Management Section (ITMS), in conjunction with the monthly Crime Analyst group meetings, review the data and offer insight as to issues to be taken back to the District Commanders. Organizationally, ITMS has no further authority to direct the de-centralized analysts or the District Commanders.

The POP Guide publication, *Analyzing Repeat Victimization*, has been read by Captain Jeff Butler (ITMS) as part of the reorganization evaluation. Additionally, Lieutenant Mark Briede (ITMS) has reviewed the publication as part of his research while attending the Southern Police Institute. In response to the Monitor's suggestion to use "a larger time frame to identify repeat victimization," the CPD contends that the time frame extension is not issue but rather a matter of semantics. The four published folders of data are maintained in the Crime Analyst folder. Analysts can review the most current and trend specific data in the quarterly report or simply combine the reports (the Excel format, by design, sorts data and makes recommendations) on a longer period as needed. The data will not be deleted and is available for an extensive period of time.

ITMS has provided notification related to the accuracy and integrity of data submitted in reports. The improper and/or overuse of code "89" in the National Incident Based Reporting System (NIBRS) has dropped from 85% to 72% in the last quarter. There has been extensive instruction on data integrity during in-service training as well as separate training opportunities by Captain Butler (Ohio Law Enforcement Gateway – OHLEG) and Lieutenant Kurt Byrd, Intelligence Unit Commander.

Item 29(q). The City shall secure appropriate information technology so that police and City personnel can access timely, useful information to detect, analyze and respond to problems and evaluate their effectiveness.

Monitor's Previous Assessment

The CPD has reported that it expects the CAD portion of the new system to be on line between January 2007 and April 2007. For the RMS portion of the system, it is expected to be on line by June 2007 (with some modules up earlier).

The CPD cites its use of its current systems, and the fact that the new CPOP tracking system is now on-line, as a basis for a determination of compliance. The Monitor has noted in several CA sections that the CPD needs to improve its problem solving analysis, and use that analysis in its CPOP and problem solving efforts. In only a few projects is there mention of the number of calls for service at a location. Most projects do not include an analysis of the calls, and almost none include an assessment using data from the CPD's systems. Nonetheless, we believe that the work done under 29(p) also puts the CPD in partial compliance for 29(q). The repeat location, victim, and offender databases are a beginning, although improvements are still needed along the path described in 29(q). Once the new systems are up, they will need to ease access to this type of information and improve the CPD's capacity to scan, analyze, respond and assess. The City is in partial compliance with this section of the CA.

Parties' Status Update

The Computer Aided Dispatch (CAD) portion of the new system is expected to go on-line for training in the second quarter of 2007. Issues related to proper geo-coding, CAD configuration and COPSMAART delays the development.

B. MUTUAL ACCOUNTABILITY EVALUATION

Evaluation Protocol

Items 30-46, Evaluation Protocol

Monitor's Previous Assessment

We are convinced that the RAND's First Year Report and Second Year Report reinforce and validate the Collaborative Agreement's approach that problem solving must be the principal strategy for addressing crime and disorder in Cincinnati. RAND "underscored a point from last year's report: The City needs to avoid the assumption that effective law enforcement and good community relations are mutually exclusive goals and to work to find policies that can maximize both outcomes" [p. 92].

RAND's 2006 Second Year Report repeats many of the findings of its 2005 First Year Report. Blacks and whites in Cincinnati experience "substantively different types of policing" (xxiii). Black residents are more likely than whites to live in neighborhoods characterized by crime and disorder, and residents in high-crime neighborhoods in Cincinnati are more likely to see "proactive policing" such as aggressive traffic enforcement, pedestrian stops, and officers patting down individuals on the street corner. Calls for service, reported crime, arrests and police use of force are geographically clustered in particular neighborhoods – including Over-The-Rhine, the Central Business District/Riverfront, Avondale, and Pendleton. Because of where black and white residents live in the city, and because of police decisions on deployment and crime control strategies, some might even say that there is a *Tale of Two Cities* in how blacks and whites experience policing in Cincinnati.

On average, black residents in Cincinnati experience traffic stops that are longer¹⁵, are more likely to involve searches for drugs, weapons and contraband, and more likely to involve investigation of all of the vehicle's passengers. Black residents are also more likely than whites to be stopped for equipment violations. In addition, 75 percent of those arrested by the CPD in Cincinnati are black, and 77 percent of the incidents involving CPD use of force involve black subjects.

The RAND First Year Report demonstrated a wide gap in perceptions between whites and blacks in Cincinnati that must be addressed. Similar findings were made in the NCCJ surveys in 2006. These gaps must be reduced in future years for the Collaborative Agreement to be successful and its goals to be achieved. Central to this issue is the impact on the black community of decisions about police strategy. The right police strategy is one that effectively reduces crime, makes people feel safer, and reduces perceptions of police unfairness and bias. As noted by RAND, police research has shown that traditional reactive policing can create frustration and distrust of the police, and its

¹⁵ The RAND report further explains that the length of stop is related to drivers with invalid driver's licenses.

effectiveness is questionable. This is why the Collaborative Agreement emphasizes problem solving and problem-oriented policing.

In the RAND 2005 Report and in our earlier Monitor's Reports, we set out several recommendations for actions that the Parties and the Cincinnati community should take. These steps need to be taken without delay. The CPD will need to increase the level of community dialogue to build trust with the African American community, and to restore trust with the communities that have been disillusioned. This should include discussions regarding incorporating problem solving and CPOP into hot spot/crime sweep efforts, and an examination of how and where arrests are being made and how they correlate to reported crime. Aggressive traffic enforcement may engender greater distrust, and may not be effective in reducing crime or improving traffic safety.

The Parties are in compliance with the CA provisions requiring the development of a system of evaluation, and implementation of the Evaluation Protocol (CA ¶¶31-43). The Parties have also committed to meeting with the Monitor regarding the RAND report and to hosting a dialogue on policing strategies in Cincinnati. As these discussions move forward, this will demonstrate the Parties' compliance with CA ¶¶ 30 and 46.

Parties' Status Update

A forum was held to discuss the RAND report. (See update under Paragraph 29(f).)

C. DEPARTMENT OF JUSTICE MEMORANDUM OF AGREEMENT

Collaborative Items 47-49

Pointing Firearms Complaints

The investigations of complaints of improper pointing of firearms from March 2000 to November 2002 were forwarded to the Conciliator, Judge Michael Merz, in July 2003. The Parties also submitted supplementary materials to Judge Merz for his review in making his decision under Paragraph 48. On November 14, 2003, Judge Merz issued his decision. Judge Merz determined that there has not been a pattern of improper pointing of firearms by CPD officers. Therefore, CPD officers will not be required to complete a report when they point their weapon at a person. The Parties are in compliance with the provisions of Paragraph 48.

D. FAIR, EQUITABLE AND COURTEOUS TREATMENT

Collaborative Items 50-54. The CA requires the Parties to collaborate in ensuring fair, equitable and courteous treatment for all, and the implementation of bias-free policing. Data collection and analysis are pivotal to tracking compliance, and training is essential to inculcate bias-free policing throughout the ranks of the CPD. The Monitor, in consultation with the Parties, is required to include detailed information regarding bias-free policing in all public reports. The collection and analysis of data to allow reporting on bias-free policing is to be part of an Evaluation Protocol developed with the advice of expert consultants.

52. Training and Dissemination of Information *The Parties shall cooperate in the ongoing training and dissemination of information regarding the Professional Traffic Stops Bias-Free Policing Training Program.*

Monitor's Previous Assessment

With the delivery of bias free training to officer as part of in-service training in 2007, the Parties will be in compliance with this provision.

Parties Status Update

As reported in the December 5, 2006 Report to the Monitor, the "Cross Cultural Communications" course was developed by Mr. Barry Webb, Lieutenant Anthony Carter and Sergeant Tom Tanner of the Police Academy and Mr. S. Gregory Baker. Those same individuals have presented the data to all police supervisors in October and November 2006 and are now presenting to all police specialists and officers. The class is being conducted in a two and a half hour course between January and April 2007 spread out over 29 sessions. Spirited dialogues have transpired promoting further thought and reflection among officers. The course addresses the Racial Profiling Traffic Stop Study and the perceptions of African Americans and police officers in conducting traffic stops.

54. Professional Conduct *In providing police services the members of the CPD shall conduct themselves in a professional, courteous manner, consistent with professional standards.*

Monitor's Previous Assessment

The CPD has put policies and procedures in place in compliance with this CA provision. However, the 2005 and 2006 RAND reports do identify concerns with cross-racial communications between officers and drivers that could be improved by additional training.

Parties Status Update

Training is being implemented during In-Service 2007 regarding Cross Cultural Training.

51. Data Collection and Analysis *The Monitor, in consultation with the Parties, shall in all public reports, include detailed information including but not limited to the racial composition of those persons stopped (whether in a motor vehicle or not), detained, searched, arrested, or involved in a use of force with a member of the CPD, as well as the race of the officer stopping such persons.*

Monitor's Previous Assessment

a. Traffic Stop Data Collection

The CPD collects traffic stop data on Contact Cards, which are used by RAND for analysis. The Parties are in compliance with this requirement.

b. Data Collection on Pedestrian Stops

At the November 2006 All Parties meeting, the Parties agreed that this provision needs to be reconsidered, to determine whether there is a data collection and analysis method that can be agreed upon, or whether this provision should be revised or deleted.

Parties' Status Update

The Parties agreed at the February 2007 All Parties meeting that this provision should be deleted.

c. Use of Force Racial Data

The Parties are in compliance with this requirement.

Parties' Status Update

According to the December 2006 RAND report, RAND found no relationship between race of subject or the officer regarding use of force.

d. Favorable Interactions

The Parties are in compliance with this requirement.

e. Unfavorable Interactions

The Parties have developed a protocol for reporting unfavorable interaction by CPD officers with citizens. The protocol has been approved and entered by the Court. Mutual Accountability Forms have been developed. The Parties will be in compliance with this CA requirement when these forms are available for completion and then collected. The Parties are not in compliance with this provision.

Parties' Status Update

Paragraph 30 of the CA deals with mutual accountability provisions that were designed to “ensure that the conduct of the City, the police administration, members of the Cincinnati Police Department, and members of the general public is closely monitored so that both the favorable and unfavorable conduct of all is fully documented and thereby available as a tool for measuring and improving police/community relations under the CA.”

The Parties to the CA have agreed that:

1. Rude and discourteous conduct by citizens toward police is a problem that can be addressed by community-oriented policing.
2. The conduct at issue is typically not criminal and is normally protected by the federal and state constitutions; and,
3. A protocol for tracking rude and discourteous conduct toward the police can be developed while still respecting the constitutional rights of all citizens.

The Parties developed a protocol for reporting and tracking such conduct, and permitting the evaluation team (RAND) to perform statistical compilations and prepare required reports of such conduct to the Parties and the Monitor, pursuant to Paragraphs 38, 39, 40, 44, 45 and 46 of the CA. The protocol has been approved and entered by Judge Susan Dlott as a “Protective Order Re: Mutual Accountability Reports of Unfavorable Conduct by Citizens During Implementation of Collaborative Agreement,” which includes Form MA1 for the reporting of unfavorable conduct of citizens by the police. See Appendix Item 14.

The FOP has purchased and installed locked collection boxes in all police districts, and has also printed and distributed the MA1 reporting forms to insure that all members of the CPD have the capability of reporting unfavorable conduct by citizens for use in compiling information that will document the date, time, and location of the unfavorable conduct, as well as the age, race, sex,

and national origin of the person committing the unfavorable conduct, and a description of the unfavorable conduct witnessed by the reporting police officer. The forms are to be collected from the locked collection boxes and transmitted to the CPPC where they will be stored until delivery to the evaluation team approved by the Parties to the CA for the preparation of the required reports that are to be utilized to evaluate the accountability of the community in reaching the goals of the CA.

E. CITIZEN COMPLAINT AUTHORITY

Collaborative Items 55-89

Monitor's Previous Assessment

The Monitor's review of CCA investigations, discussed in Chapter 2, indicates that the CCA and the City are in compliance with CA paragraphs 70 – 79. Now that the CCA and the CPD have developed written procedures for the timely exchange of information and the efficient coordination of the CCA and the CPD investigations, the City is in Compliance with CA paragraph 74. Also, with these procedures in place, it appears that the City is in compliance with paragraph 70, requiring that each complaint be directed to the CCA in a timely manner. As reported by the CCA, the City is now also in compliance with CA paragraph 71, requiring that the CPD not interfere with the ability of the CCA to monitor the work of the CPD at the scene, and monitor CPD interviews.

The coordination of the CCA and IIS procedures, and the new SOP setting out procedures for CPD action in those cases where the CCA sustains complaints has also put the City in a position to comply with paragraph 78, requiring that the City Manager and the Chief of Police refrain from making a final decision on discipline until after receipt of the CCA investigation and report. Based on the manual spreadsheet of CCA and CPD complaint cases, it appears that the City is in compliance with this provision.

With regard to the CA requirement (paragraph 80) that the CCA and CPD create a "shared electronic database that will track citizen complaints," the two agencies do not have a shared electronic database that tracks all citizen complaints, although the CCA does have access to the CPD's ETS system. Instead, the CCA and CPD have developed a manual spreadsheet that includes information on IIS and CCA complaints. In their December 2006 CA Status Report, the Parties state that the current system is sufficient. The Monitor does note, however, that if the tracking and coordination of the status of citizen complaint investigations at each agency is to be done manually, that effort must be kept up to date. The spreadsheet provided to the Monitor in December 2006 was the same spreadsheet that had been provided in July 2006.

The City and the CCA are in compliance with CA paragraphs 82 – 86, relating to prevention of police misconduct and reducing citizen complaints, and to public dissemination of information about the CCA and how it operates. The CCA has drafted a report on complaint patterns and trends, and has issued its 2005 Annual Report. The CCA has also recently disseminated its first newsletter. The City is also in compliance with CA paragraph 87, requiring that the City Council allocate sufficient resources for the CCA to accomplish its mission. However, we encourage the City to evaluate the CCA's work and consider

whether there are additional goals that could be accomplished with even slight supplemental budgetary funding.

Parties' Status Update

The Parties have nothing to report under this subsection.

APPENDIX

1. Response to Monitor: Problem Solving and the Vortex Unit
2. CERT Activity Log
3. 2007 In-Service Agenda for Police Specialists and Officers
4. CPPC Status Update of CPOP Projects
5. Agenda: Cincinnati Community Forum on Policing
6. Chronic Nuisance Ordinance Information
7. Internal Communications Council Meeting Minutes
8. Quarterly Problem Solving Reports
9. Intelligence Unit: Copper Theft Summary
10. Crime Analysts' End of Year Summaries
11. Bureau Memos re: **Collaborative Agreement Status Update** (Fourth Quarter)
12. Status Update: CPD Strategic Plan
13. Email re: Job Descriptions Clarification
14. Protective Order re: Mutual Accountability
15. Crime Analysis PowerPoint
16. Revision – Performance Evaluations